

ORIGINAL

Approved: _____

ELIZABETH A. ESPINOSA

Assistant United States Attorney

Before: HONORABLE STEWART D. AARON
 United States Magistrate Judge
 Southern District of New York

19 MAG 6743

-----X
 UNITED STATES OF AMERICA : SEALED COMPLAINT
 :
 -v.- : Violations of
 : 18 U.S.C. §§ 1349, 1343,
 : 1028A, and 2
 AARON PAUL-HUDGINS, :
 JALEN DOMINGUEZ, and : COUNTIES OF OFFENSE:
 ARMANDO BARBIER, : BRONX, NEW YORK
 :
 Defendants. :
 :
 :
 -----X

SOUTHERN DISTRICT OF NEW YORK, ss.:

ANDREW W. KOEPPSELL, being duly sworn, deposes and says that he is a Special Agent with the United States Department of Homeland Security, Homeland Security Investigations ("HSI"), and charges as follows:

COUNT ONE

(Conspiracy to Commit Wire Fraud)

1. From at least in or about June 2018 up to and including at least January 2019, in the Southern District of New York and elsewhere, AARON PAUL-HUDGINS, JALEN DOMINGUEZ, and ARMANDO BARBIER, the defendants, and others known and unknown, willfully and knowingly, did combine, conspire, confederate, and agree together and with each other to commit wire fraud, in violation of Title 18, United States Code, Section 1343.

2. It was a part and an object of the conspiracy that AARON PAUL-HUDGINS, JALEN DOMINGUEZ, and ARMANDO BARBIER, the defendants, and others known and unknown, willfully and knowingly, having devised and intending to devise a scheme and artifice to defraud and for obtaining money and property by means of false and fraudulent pretenses, representations, and

2

promises, would and did transmit and cause to be transmitted by means of wire, radio, and television communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds for the purpose of executing such scheme and artifice, in violation of Title 18, United States Code, Section 1343.

(Title 18, United States Code, Section 1349.)

COUNT TWO

(Wire Fraud)

3. From at least in or about June 2018 up to and including at least January 2019, in the Southern District of New York and elsewhere, AARON PAUL-HUDGINS, JALEN DOMINGUEZ, and ARMANDO BARBIER, the defendants, willfully and knowingly, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, did transmit and cause to be transmitted by means of wire, radio, and television communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds, for the purpose of executing such scheme and artifice, to wit PAUL-HUDGINS, DOMINGUEZ, and BARBIER fraudulently procured the cellphone account information of others, transmitted such information by telephone calls, text messages, and internet messaging applications, and used such account information to fraudulently obtain upgraded cellphone handsets that were charged to the true account holders (the "Victim Account Holders").

(Title 18, United States Code, Sections 1344 and 2.)

COUNT THREE

(Aggravated Identity Theft)

4. From at least in or about June 2018 up to and including at least January 2019, in the Southern District of New York and elsewhere, AARON PAUL-HUDGINS, JALEN DOMINGUEZ, and ARMANDO BARBIER, the defendants, knowingly did transfer, possess, and use, without lawful authority, a means of identification of another person, during and in relation to a felony violation enumerated in Title 18, United States Code, Section 1028A(c), to wit, PAUL-HUDGINS, DOMINGUEZ, and BARBIER used counterfeit identification documents in the names of the Victim Account Holders during and in relation to the felony violations charged in Counts One and Two of this Complaint.

(Title 18, United States Code, Sections 1028A(a)(1), 1028A(b), and 2.)

The bases for my knowledge and for the foregoing charges are, in part, as follows:

5. I have been a Special Agent with HSI since 2016. I have been personally involved in the investigation of this matter, and I base this affidavit on that personal experience, as well as on my conversations with other law enforcement agents, and my examination of various reports, records and surveillance images. Because this affidavit is being submitted for the limited purpose of demonstrating probable cause, it does not include all of the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

6. As set forth in greater detail below, there is probable cause to believe that AARON PAUL-HUDGINS, JALEN DOMINGUEZ, and ARMANDO BARBIER, the defendants, participated in a scheme to fraudulently acquire new and upgraded cellular telephones. PAUL-HUDGINS, DOMINGUEZ, BARBIER, and others acquired cellular account information for Victim Account Holders and used it to log into the accounts of the Victim Account Holders and to place orders for new cellular telephones which would be charged to the Victim Account Holders. PAUL-HUDGINS, DOMINGUEZ, and BARBIER then used counterfeit drivers' licenses bearing their photographs but the names of the Victim Account Holders to pick up the fraudulently ordered cellphones from retailers across the country.

The Defendants Fraudulently Obtain Upgraded Cellphones Through the Fraudulent Access of Victim Accounts

7. Based on information provided by a cellular telephone service provider ("Provider-1"), and based on victim complaints to Provider-1, I know that between on or about February 7, 2018 and on or about October 22, 2018, at least 62 cellular telephones were fraudulently obtained after an individual other than the account holder accessed the online accounts of various Account Holders (the "Victim Accounts") and placed an order for a new cellular telephone which was picked up at various retail locations. Each of the Victim Accounts was accessed by one of two static IP addresses ("IP Address-1" and "IP Address-2" collectively the "IP Addresses").

4

8. Based on information provided by the internet service provider for the IP Addresses, at the time of the unauthorized access of the Victim Accounts, both of the IP Addresses were registered to the residence of AARON PAUL-HUDGINS, the defendant.

9. Based on information provided by the Colorado State Patrol ("CSP"), on or about July 29, 2018, AARON PAUL-HUDGINS and JALEN DOMINGUEZ, the defendants, were arrested by CSP after a traffic stop due to an unrelated violation. At the time of their arrest, PAUL-HUDGINS and DOMINGUEZ possessed 19 counterfeit drivers' licenses in the names of other individuals and bearing PAUL-HUDGINS' and DOMINGUEZ's photographs.

10. Based on information provided by Provider-1, I know that each of the individuals whose names were on the 19 counterfeit identity documents seized from AARON PAUL-HUDGINS and JALEN DOMINGUEZ, the defendants, belonged to one of the Victim Account Holders, had been compromised within the previous 12 months, and had been accessed by one of the IP Addresses.

June 15-16, 2018

8. As described in further detail below, on or about June 15 and 16, 2018, AARON-PAUL HUDGINS and JALEN DOMINGUEZ, the defendants, traveled to multiple consumer electronics retailers in Kentucky and Tennessee, where they fraudulently obtained upgraded iPhone handsets using counterfeit identification documents in the names of Victim Account Holders.

Store-1

a. Based on information provided by Provider-1, one of the IP Addresses accessed the account of one of the Victim Account Holders ("Victim-1") on or about April 25, 2018.

b. Based on information provided by Provider-1, on or about June 15, 2018, at approximately 5:57 p.m. CST, an upgraded iPhone handset was fraudulently charged to Victim-1 at a location of a consumer electronics retailer ("Store-1") in the vicinity of Central City, Kentucky.

c. Based on information provided by cellphone service providers, earlier that same day, cellular telephones subscribed to both PAUL-HUDGINS and DOMINGUEZ connected to cell towers in the vicinity of Store-1.

5

Store-2

d. Based on information provided by Provider-1, the account of one of the Victim Account Holders ("Victim-2") was accessed by one of the IP Addresses on or about June 8, 2018.

e. Based on information provided by Provider-1, on or about June 15, 2018, at approximately 11:27 p.m. CST, an upgraded iPhone handset was fraudulently charged to Victim-2 at a location of a consumer electronics retailer ("Store-2") in the vicinity of North Madison, Tennessee.

f. Based on information provided by cellphone service providers, around the time of the purchase, cellular telephones subscribed to both PAUL-HUDGINS and DOMINGUEZ connected to cell towers in the vicinity of Store-2.

Store-3

g. Based on information provided by Provider-1, one of the IP Addresses accessed the account of one of the Victim Account Holders ("Victim-3") on or about June 8, 2018.

h. Based on information provided by Provider-1, I know that on or about June 16, 2018, at approximately 3:55 p.m. CST, two upgraded iPhone handsets were fraudulently charged to Victim-3 at a location of a consumer electronics retailer ("Store-3") in the vicinity of Murfreesboro, Tennessee.

i. Based on information provided by cellphone service providers, shortly after the transaction described above, cellular telephones subscribed to both PAUL-HUDGINS and DOMINGUEZ connected to cell towers in the vicinity of Store-3.

September 20-22, 2018

9. As described in further detail below, JALEN DOMINGUEZ and ARMANDO BARBIER, the defendants, traveled to multiple consumer electronics retailers in North Carolina and Georgia between on or about September 20, 2018, and on or about September 22, 2018 where they fraudulently obtained upgraded iPhone handsets using counterfeit identification documents in the names of Victim Account Holders. AARON PAUL-HUDGINS, the defendant, communicated with DOMINGUEZ and BARBIER by cellphone and cellphone messaging applications about the fraudulent transactions during this time.

6

Store-4

a. Based on information provided by Provider-1, on or about September 20, 2018, at approximately 5:32 p.m. EST, two upgraded iPhone handsets were fraudulently charged to a Victim Account Holder ("Victim-4") at a location of a consumer electronics retailer ("Store-4") in the vicinity of Raleigh, North Carolina.

b. Surveillance images obtained from Retailer-4 show BARBIER entering Retailer-4 and obtaining the upgraded iPhone handsets, then exiting the store.

c. Based on information provided by Provider-1 and Store-4's parent company, records of the transaction show that in order to obtain the upgraded iPhone handsets the individual on the surveillance images—subsequently identified as BARBIER—provided an identification document in the name of Victim-4.

d. Based on information provided by a cellphone service provider, shortly before the above described transaction, DOMINGUEZ's cellphone connected to a cell tower located in the vicinity of Store-4.

e. Based on my review of iCloud search warrant returns for an iCloud account registered to PAUL-HUDGINS ("iCloud Account-1"), I learned that on or about September 20, 2018, PAUL-HUDGINS and BARBIER had a Facetime video call and PAUL-HUDGINS saved a screenshot of that call to iCloud Account-1. The screenshot depicts BARBIER wearing the same clothing he was wearing in the surveillance images from Store-4 and holding a clear plastic bag containing iPhone boxes. PAUL-HUDGINS's face appears in the upper corner of the screenshot.

Store-5

f. Based on information provided by Provider-1, on or about September 22, 2018, at approximately 5:14 p.m. EST, two upgraded iPhone handsets were charged to a Victim Account Holder ("Victim-5") at a location of a consumer electronics retailer ("Store-5") in the vicinity of Duluth, Georgia.

g. Based on information provided by cellphone service providers, shortly after the above transaction, DOMINGUEZ's cellphone placed a call to PAUL-HUDGINS's cellphone and DOMINGUEZ's cellphone connected to a cell tower in the vicinity of Store-5.

October 17-22, 2018

10. As described in further detail below, between on or about October 17, 2018, and on or about October 22, 2018, JALEN DOMINGUEZ and ARMANDO BARBIER, the defendants, traveled to multiple consumer electronics retailers in Idaho, Washington, and California, where they fraudulently obtained upgraded iPhone handsets using counterfeit identification documents in the names of Victim Account Holders. AARON PAUL-HUDGINS, the defendant, communicated with DOMINGUEZ and BARBIER by cellphone and cellphone messaging applications about the fraudulent transactions during this time.

Store-6

a. Based on information provided by Provider-1, on or about October 17, 2018, at approximately 10:12 p.m. MST, an upgraded iPhone handset was fraudulently charged to a Victim Account Holder ("Victim-6") at a location of a consumer electronics retailer ("Store-6") in the vicinity of Twin Falls, Idaho.

b. Based on information provided by a cellphone service provider, shortly after the above transaction, DOMINGUEZ's cellphone connected to a cell tower in the vicinity of Store-6.

c. Based on records provided by a money service business ("MSB-1"), I learned that on or about October 17, 2018, PAUL-HUDGINS wired money to BARBIER through MSB-1. BARBIER collected the money at a location of MSB-1 in the vicinity of Twin Falls, Idaho.

Store-7

d. Based on information provided by Provider-1, on or about October 19, 2018, at approximately 9:54 p.m. PST, an upgraded iPhone handset was fraudulently charged to a Victim Account Holder ("Victim-7") at a location of a consumer electronics retailer ("Store-7") in the vicinity of Bellevue, Washington.

e. Based on information provided by a cellphone service provider, shortly after the above transaction, DOMINGUEZ's cellphone connected to a cell tower in the vicinity of Store-7.

Store-8

f. Based on information provided by Provider-1, on or about October 21, 2018, at approximately 11:22 a.m. PST, an upgraded iPhone handset was fraudulently charged to a Victim Account Holder ("Victim-8") at a location of a consumer electronics retailer ("Store-8") in the vicinity of Woodland, California.

g. Surveillance images obtained from Store-8 show DOMINGUEZ enter Retailer-8, obtain the upgraded handset charged to Victim-8's account, and exit Store-8. Based on information about the transaction provided by Victim Service Provider-1 and Store-8's parent company, DOMINGUEZ provided an identification document in the name of Victim-8.

h. On or about October 22, 2018, at approximately 4:39 p.m. PST, an upgraded iPhone handset was fraudulently charged to a Victim Account Holder ("Victim-9") at Store-8.


i. Based on information provided by cellphone service providers, shortly after the above transaction, DOMINGUEZ's cellphone placed a call to BARBIER's cellphone, which connected to a cell tower in the vicinity of Store-8.

j. Based on records provided by MSB-1, I learned that on or about October 22, 2018, PAUL-HUDGINS wired money to BARBIER by means of MSB-1. BARBIER collected the money at a location of MSB-1 in the vicinity of Woodland, California.

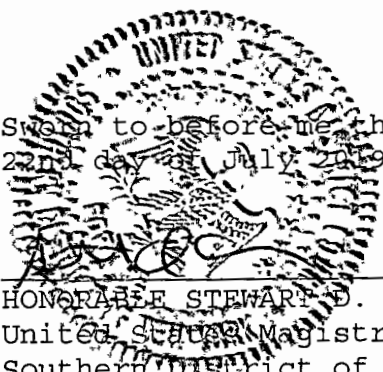
11. Based on my review of records and surveillance images provided by Provider-1 and other victim cellphone providers (the "Victim Providers"), I have learned that AARON PAUL-HUDGINS, JALEN DOMINGUEZ, and ARMANDO BARBIER, the defendants, and coconspirators known, and unknown have obtained approximately 67 fraudulently upgraded iPhone handsets or Apple products, totaling approximately \$66,125.44 in losses to the Victim Providers.

9

WHEREFORE, the deponent respectfully requests that a warrant be issued for the arrest of AARON PAUL-HUDGINS, JALEN DOMINGUEZ, and ARMANDO BARBIER, the defendants, and that they be arrested, and imprisoned or bailed, as the case may be.



ANDREW W. KOEPESELL
Special Agent
Department of Homeland Security
Homeland Security Investigations


Sworn to before me this
22nd day of July 2019

HONORABLE STEWART D. AARON
United States Magistrate Judge
Southern District of New York